

Remarks

I. Status Of The Claims

Claims 33-35, 56 and 59 have been canceled. Claims 61-64 have been added. Claims 27-32 and 57-64 are active in this application.

Claims 61-64 correspond to claims 33-35 and 56, respectively, except that new claim 61 recites "comprises from about 0.3 mole to about 0.55 mole of zinc per mole of fatty acid-acylated insulin." No new matter has been added by this amendment.

II. Information Disclosure Statement Filed November 20, 2001

Applicant filed an information disclosure statement and a Form 1449 on November 20, 2001. Applicants respectfully request that the Examiner indicate her consideration of (a) the copending applications listed in the information disclosure statement, and (b) the documents listed on the Form 1449.

III. Reply Filed October 9, 2001

At page 2 of the Office Action, the Examiner acknowledged the "submission filed on 10/12/01." Applicant respectfully clarifies that the amendment filed in October, 2001 was labeled with a certificate of mailing dated October 9, 2001, and thus has an effective filing date of October 9, 2001. Accordingly, the amendment was timely filed in reply to the Office Action dated April 10, 2001.

IV. The Rejection Under 35 U.S.C. § 112 Must Be Withdrawn

At page 2 of the Office Action, the Examiner rejected claims 33 and 59, as allegedly indefinite. Applicants respectfully traverse this rejection.

Applicants thank the Examiner for pointing out the inadvertent discrepancy ("about 0.3 mole to about 0.55 mg per

milliliter") in claim 33. Claim 33 has been canceled and replaced with new claim 61, which recites "about 0.3 mole to about 0.55 mole of zinc per mole of fatty acid-acylated insulin."

Claims 34, 35 and 56 have been canceled and replaced with new claims 62, 63, 64 respectively, because lowered numbered claims 33, 34 and 56 could not properly depend from higher-numbered new claim 61.

Claim 59 has been canceled.

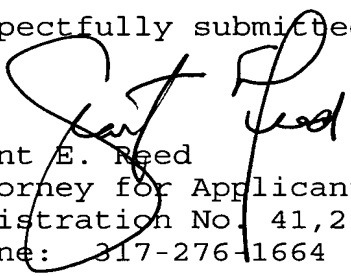
It is believed that the alleged grounds for this rejection have been resolved by amendment. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

V. The Rejections Under 35 U.S.C. § 102(e)

At page 3 of the Office Action, the Examiner rejected claims 27-35 and 56-60 as allegedly anticipated by either U.S. Patent No. 5,750,497 or U.S. Patent No. 6,001,007.

Claims 33-35 and 56 have been canceled. With respect to the pending claims, Applicant respectfully requests that these rejections be held in abeyance until the claims are found otherwise allowable. In the meantime, Applicant will determine whether a request for interference will be filed.

Respectfully submitted,


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